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RE: OFFICIAL PAPER
TO: Examiner Kevin S. Wood
U.S. Patent and Trademark Office
GAU: 2874
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FROM: Eugene J. Rosenthal
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DATE: May 7, 2004
Pages (Incl. Cover): 6

Re: Amendment Response
Case No.: D. T. Neilson 8-4
Ser. No.: 09/896085
File Date: June 29, 2001
Title: Imaging Technique For Use With Optical MEMS Devices

Certification of Facsimile Transmission

I hereby certify that this correspondence (and any paper referred to as being transmitted therewith) is being facsimile transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on the date indicated below.

5/7/04
Date

Sharon Lobosco
SHARON LOBOSCO

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

David Thomas Neilson
Roland Ryf

CASE 8-4

Serial No. 09/896085

Group Art Unit 2874

Filed June 29, 2001

Examiner K. Wood

Title Imaging Technique For Use With Optical MEMS Devices

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Enclosed is an amendment in the above-identified application.

NO ADDITIONAL FEE REQUIRED

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 12-2325 as required to correct the error.

Respectfully,

Eugene J. Rosenthal, Attorney
Reg. No. 36658
732-949-1857.

Date:

5/7/04

Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
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5/7/04


SHARON L. LOBOSCO

Serial No. 09/896,085

RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2874**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE****Patent Application****Inventor(s):** D. T. Neilson
R. Ryf**Case:** 8-4**Serial No.:** 09/896,085**Group Art Unit:** 2874**Filed:** June 29, 2001**Examiner:** Kevin S. Wood**Title:** Imaging Technique For Use With Optical MEMS Devices**THE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231****SIR:****RESPONSE**

This communication is in response to the Office Action dated April 6, 2004.

Remarks

Claims 1-20, 22-24, and 27-32 are pending in the application

Claims 11 and 12 stand allowed.

Claims 1-8, 13, 15-20-27, and 30-32 are rejected under 35 U.S.C. 102(c) as being anticipated by United States Patent No. 6,330,102 issued to Daneman et al. on December 11, 2001.

Claims 9, 10, 14, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent No. 6,330,102 issued to Daneman et al. on December 11, 2001.

Rejection Under 35 U.S.C. 102

Claims 1-8, 13, 15-20-27, and 30-32 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,330,102 issued to Daneman et al. on December 11, 2001.

The Office Action maintains the prior rejection, stating in response to applicants' arguments that, although there are some MEMS devices in Daneman et al. that rotate about mutually orthogonal axes, there are, however, pairs of MEMS device disclosed by